

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH
BENEFITS FUND; PIRELLI ARMSTRONG
RETIREE MEDICAL BENEFITS TRUST;
TEAMSTERS HEALTH & WELFARE FUND
OF PHILADELPHIA AND VICINITY;
PHILADELPHIA FEDERATION OF
TEACHERS HEALTH AND WELFARE FUND;
DISTRICT COUNCIL 37, AFSCME -
HEALTH & SECURITY PLAN; JUNE SWAN;
MAUREEN COWIE and BERNARD GORTER,

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri
corporation, and McKESSON CORPORATION,
a Delaware corporation,

Defendants.

Civil Action: 1:05-CV-11148-PBS

Hearing Date: June 11, 2007

Hearing Time: 3:30 p.m.

Magistrate Judge Robert B. Collings

**SUPPLEMENTAL DECLARATION OF PAUL FLUM IN OPPOSITION TO
PLAINTIFFS' MOTION TO FILE A REPLY BRIEF IN SUPPORT OF THEIR MOTION
TO COMPEL**

I, Paul Flum, declare as follows:

1. I am a partner in the law firm of Morrison & Foerster and one of the attorneys of record for McKesson Corporation in this action. I am familiar with the discovery in this case. I submit this declaration in opposition to plaintiffs' Motion to File a Reply Brief in Support of Their Motion to Compel.

2. I participated in a telephone conference on June 7, 2007 with Nick Styant-Browne and Barbara Mahoney, counsel for plaintiffs. Rachael Clarke of my firm also participated. The purpose of the conference was to meet and confer regarding plaintiffs' pending motion to compel McKesson to produce another witness in response to their Rule 30(b)(6) notice.

3. One of the points raised in McKesson's opposition to plaintiffs' pending motion to compel is that plaintiffs' motion seeks the production of an additional witness to testify about topics that were not specified in plaintiffs' Rule 30(b)(6) notice. During the June 7 discovery conference, Mr. Styant-Browne agreed that he asked questions that went beyond the topics specified in plaintiffs' Rule 30(b)(6) notice during the May 8 deposition. Mr. Styant-Brown also agreed that plaintiffs' motion sought to compel production of an additional witness to address those topics.

4. I have participated in several previous discovery conferences with plaintiffs' counsel, including Mr. Styant-Browne and Ms. Mahoney, regarding McKesson's responses to plaintiffs' discovery requests. These conferences have been productive. On several occasions, we have been able to narrow the scope of the parties' dispute or to eliminate the need for a motion altogether.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 10th day of June, 2007, in Boston, Massachusetts.

By: /s/ Paul Flum
Paul Flum

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on June 10, 2007.

/s/ Paul Flum

Paul Flum